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September 15, 2015

BY ECF

The Honorable Susan D. Wigenton
United States District Judge
Martin Luther King Building
& United States Courthouse
50 Walnut Street
Newark, NJ 07101

Re: United States v. John A. Bennett, No. 09 Cr. 656 (SDW)

Dear Judge Wigenton:

On behalf of defendant John Bennett, I write to inform the Court of a recent development regarding discovery and to request, with the government's consent, that the briefing schedule for our pretrial motions be adjourned.

A significant portion of the pretrial motions we expected to file tomorrow related to the apparent loss of a large quantity of critical original electronic evidence, including native copies of emails sent to or from our client and other BEI officials. Last week, on September 10, 2015, the government first informed defense counsel that these materials, which we had been requesting for many months and been told no longer existed, had in fact been found and would now be produced to us in discovery. We have been advised that we should receive these materials over the next two to three weeks, and that the materials consist of at least 40,000 additional electronic documents.

In light of this development and its impact on our pretrial motions, subject to the Court's approval we have agreed with the government to change the motion schedule as follows:

Pretrial Motions Due:	October 23, 2015
Opposition Due:	November 13, 2015
Reply Due:	November 23, 2015
Argument:	To be set by the Court

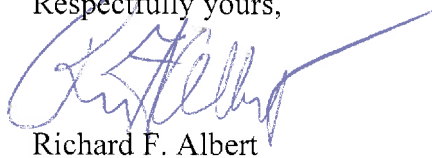
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The parties believe that this revised motion schedule will fit comfortably within the current trial schedule. Of course, from Mr. Bennett's standpoint, the feasibility of meeting this motion schedule is dependent upon these critical electronic documents being produced to us on the schedule that has been promised.

If the Court desires, we would be happy to make ourselves available for a telephone or in-person conference to discuss the revised motion schedule and the general status of this case.

Respectfully yours,



Richard F. Albert

cc: Helen Christodoulou, Esq. (via e-mail)